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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
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11 TIMOTHY J. SINES,) Case No. 06cv2349-L (BLM)
12)
13 Plaintiff,) **ORDER FINDING EARLY NEUTRAL**
14) **EVALUATION INAPPROPRIATE AND**
15 v.) **SETTING TELEPHONIC CASE**
16) **MANAGEMENT CONFERENCE**
17 GERALD W. GREEN, III; DOES 1)
18 through 50, inclusive,)
19 Defendants.)
20 _____)
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18 On November 14, 2006, Defendant Gerald W. Green III filed an Answer
19 to Plaintiff's Complaint [Doc. No. 9] and a Motion for Order Compelling
20 Arbitration [Doc. No. 6]. Defendant's motion to compel arbitration is
21 set for hearing on January 22, 2007.

22 Due to this pending motion, the Court finds it inappropriate to
23 hold an Early Neutral Evaluation Conference at this time. See CivLR
24 16.1(c) (providing that the "judicial officer shall hold [] conferences
25 as he or she deems appropriate"). However, in order to determine the
26 status of the case and whether it is appropriate to schedule a
27 settlement conference, a telephonic Case Management Conference shall be
28 held before Magistrate Judge Barbara L. Major on **February 22, 2006** at

1 1:30 p.m. Counsel for all parties shall appear telephonically at this
2 conference. The Court will initiate the conference call. Failure of
3 required counsel to participate may result in sanctions.

4 **IT IS SO ORDERED.**

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6 Dated: November 15, 2006



BARBARA L. MAJOR
United States Magistrate Judge

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9 COPY TO:

10 HONORABLE M. JAMES LORENZ
11 U.S. DISTRICT JUDGE

12 ALL COUNSEL
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